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OFFICE OF PETITIONS

In re Application of :
Yafuso et al. :
Application No. 09/881,410 :
Filed: June 14, 2001 :
Attorney Docket No. QCPA235RE :

ON PETITION

This is a decision on the petition under 37 CFR 1.47 filed September 14, 2004, and supplemented July 13, 2005, which is being treated as a petition under 37 CFR 1.183 seeking waiver of 37 CFR §§ 1.67 and 1.63 where they require that a supplemental declaration be executed by the named inventors.¹

The petition is **granted**.


In view of the efforts recounted in the petition to obtain the signature of Eric Lakven, it is agreed that justice would be served by waiving the requirement for his signature on the supplemental declaration filed July 13, 2005.

The aforementioned supplemental declaration has been accepted, on petition, and placed in the file.

The petition fee of \$130 was charged to petitioner's deposit account on September 22, 2004. A petition fee of \$200 was charged to petitioner's deposit account July 14, 2005. The fee of \$200 is unnecessary and has been credited back to petitioner's deposit account.

Technology Center Art Unit 2666 will be informed of the instant decision so that the examiner can consider the papers filed July 13, 2005, in due course.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


Charles Steven Brantley
Petitions Attorney
Office of Petitions

¹ Once an application has received a fully executed oath or declaration and been placed on the files for examination, the provisions of 37 CFR 1.47 no longer apply. Rather, the remedy for treating an inventor's refusal to also sign a supplemental oath or declaration is waiver of 37 CFR 1.67. See MPEP 603.